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MOCK-UP

PROPOSED AMENDMENT TO
SENATE BILL NO. 206

PREPARED FOR ASSOCIATED GENERAL CONTRACTORS
MARCH 11, 2003

PREPARED BY THE LEGAL DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE
LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~green bold double strikethrough~~ is language proposed to be deleted in this amendment and (5) ~~green bold dashed underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 108 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 26, inclusive, of this act.

Sec. 2. "Agent of the owner" means every architect, builder, contractor, engineer, geologist, land surveyor, lessee, miner, subcontractor or other person having charge or control of the property, improvement or work of improvement of the owner, or any part thereof.

Sec. 3. "Building" means a primary building or other superstructure, together with all garages, outbuildings and other structures appurtenant thereto.

Sec. 4. "Commencement of construction" means the date on which:

1. Work performed; or
2. Materials or equipment furnished in connection with a work of improvement, is visible from a reasonable inspection of the site.

Sec. 5. "Completion of the work of improvement" means:

1. The occupation or use by the owner, an agent of the owner or a representative of the owner of the work of improvement, accompanied by the cessation of all work on the work of improvement;
2. The acceptance by the owner, an agent of the owner or a representative of the owner of the work of improvement, accompanied by the cessation of all work on the work of improvement; or
3. The cessation of all work on a work of improvement for 30 consecutive days, provided a notice of completion is timely recorded and served and the work is not resumed under the same contract.

Sec. 6. "Contract" means a written or oral agreement, including all attachments and amendments thereto, for the provision of work, materials or equipment for a work of improvement.

Sec. 7. "Disinterested owner" means an owner who did not personally or through his agent or representative, directly or indirectly, request, require, authorize, consent to or cause a work of improvement, or any portion thereof, to be constructed, altered or repaired upon the property of the owner.

Sec. 8. "Equipment" means tools, machinery and vehicles, furnished or rented, which are used or to be used in the construction, alteration or repair of a work of improvement at the request of the owner or an agent of the owner.

Sec. 9. "Improvement" means the development, enhancement or addition to property, by the provision of work, materials or equipment. The term includes, without limitation:

1. A building, railway, tramway, toll road, canal, water ditch, flume, aqueduct, reservoir, bridge, fence, street, sidewalk, fixtures or other structure or superstructure;
2. A mine or a shaft, tunnel, adit or other excavation, designed or used to prospect, drain or work a mine;
3. A system for irrigation, plants, sod or other landscaping;
4. The demolition or removal of existing improvements, ~~including~~ other vegetation.

EXHIBIT D Senate Committee on Judiciary

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PROPOSED AMENDMENT TO SB206